

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

DAVID CHARLES SUTTON,

Petitioner,

v.

STATE OF GEORGIA,

Respondent.

CIVIL ACTION FILE
NO. 1:09-CV-1799-TWT

ORDER

This is a pro se petition for a Writ of Habeas Corpus. It is before the Court on the Report and Recommendation [2] of the Magistrate Judge recommending that the petition be dismissed as successive. The Court approves and adopts the Report and Recommendation of the Magistrate Judge as the Judgment of the Court. This action is DISMISSED without prejudice.

SO ORDERED, this 3 day of September, 2009.

s/Thomas W. Thrash
THOMAS W. THRASH, JR.
United States District Judge